Town of



AMHERST Massachusetts

(413) 259-3040 (413) 259-2410 [Fax] zoning@amherstma.gov

TOWN HALL 4 Boltwood Avenue Amherst, MA 01002-2351

AGENDA ZONING BOARD OF APPEALS **Public Hearing Continuation**

The Amherst Zoning Board of Appeals will meet on *Thursday, January 5, 2017*, at 6:00 P.M. in the Town Room, Town Hall, to conduct the following business:

PUBLIC HEARING:

(Continuation from December 8, 2016)

ZBA FY2017-00007 - North Square at the Mill District, Beacon Communities LLC, Request a Comprehensive Permit under M.G.L. Chapter 40B, to create a mixed-use, mixed-income development consisting of two new buildings containing 130 residential units, including 20% (26) affordable units, 22,000 square feet of non-residential space, approximately 299 parking spaces, and including site improvements, on approximately 5.3 acre leased site on a 12 acre property at 134 and 92 Montague Road, North Amherst (Map 5A, Parcel 42 and 139; Commercial (Com) and Residential Neighborhood (R-N) Zoning).

MEETING TOPICS

- **Amherst Subsidized Housing Inventory projections**
- Third-party review assessment
- Landscaping design
- Beacon Management detail
- Address Planning Board and Conservation Commission comments
- Review the Zoning Boards comments, which include:
 - o Municipal services including water usage
 - o Amount of cut and fill
 - Accuracy of architectural perspectives
- Waivers
- **Public comment**

Plans and documents are available for viewing in the Planning Department, Amherst Town Hall, 4 Boltwood Avenue, Amherst, MA, and on the Town website at <a href="http://ma-relation.org/linearing-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new-normal-new amherst3.civicplus.com/2268/North-Square-at-the-Mill-District

> MARK PARENT, CHAIR AMHERST ZONING BOARD OF APPEALS

Town of Amherst Zoning Board of Appeals

PROJECT APPLICATION REPORT

Public hearing continued from December 8, 2016

Project Name:

North Square at the Mill District

Applicant:

BC North Square LLC, limited dividend affiliate of Beacon Communities

Development, LLC (Project Sponsor)

Two Center Plaza, Suite 700

Boston, MA 02108

Representative:

Darcy Jameson

Project Address:

134 Montague Road and 92 Montague Road

Nature of request:

Comprehensive Permit under M.G.L. Chapter 40B, to create a mixed-use, mixed income development consisting of two new buildings containing 130 residential units, including 20% (26) affordable units, 22,000 square feet of non-residential space, approximately 299, and including site improvements,

on an approximate 5.3 acre leased site on a 12 acre property

Map/Parcel:

5A-42 and 5A-139

Zoning:

Commercial (COM) and Residential Neighborhood (R-N)

Legal notice:

Published on Friday, November 11, 2016 and Wednesday, November 23,

2016, in the Daily Hampshire Gazette and sent to abutters on November 10,

2016.

Board members:

Mark Parent, Yuri Friman, Thomas Simpson

Staff members:

Nathaniel Malloy, Senior Planner, Christine Brestrup, Planning Director,

Brandon Toponce, Senior Planner, Rob Morra, Building Commissioner

BACKGROUND

Beacon has presented the proposed North Square at the Mill District on December 1, and December 8, 2016, with the ZBA and the public. During the process of the two meetings, the public have offered opinion, concern and written comments regarding the project. This public comment was presented to the ZBA and made public on the Towns website. The applicant has presented in depth background on the project and have included detail on the layout, architecture, amenities, and public improvements. The first meeting was a general overview of the project with the second meeting being more detailed in relation to specific development plans, and addressing questions from the previous meeting.

JANUARY 5, 2017, MEETING AGENDA

The following topics will be reviewed at the January 5, 2016 meeting, not necessarily in the following order:

- Amherst Subsidized Housing Inventory projections (see attachment 1)
- Third-party review assessment (see attachment 2)
- Landscaping design (see attachment 3)
- Beacon Management detail
- Review the Planning Board, Conservation Commission and Fire Department comments (see attachment 4 6)
- Review the Zoning Boards comments, which include:
 - o Municipal services including water usage
 - o Amount of cut and fill (see attachment 7)
 - o Accuracy of architectural perspectives (see attachment 8)
- Waivers
- Public comment

REVIEW (from the December 1, Project Application Report)

Landscaping

A comprehensive landscaping plan has been provided indicating the location and type of plantings throughout the leased area. Special attention has been paid to create a visually appealing area for those living within the community and for those visiting. Over 200 trees will be planted within the project of differing varieties, along with an abundance of shrubs, grasses, perennials and ground covers. The desire of the applicant is to enhance the landscaping with galvanized metal planters and artistic designs in order to add verity and enjoyment of patrons and residents.

According to the Landscaping Standards found in Section 7.11of the Zoning Bylaw, parking lots with 25 or more spaces must have landscaping islands at least four feet in width with raised curbs. The purpose for this is to define parking lot entrances, parking aisles, internal drives, separating rows of parking. In addition, screening from the parking lot to adjacent streets and properties must also be provided. This screening must be no less than three feet high, yet must also be placed as to not be an obstruction for vehicular and pedestrian visual safety. The applicant has provided landscaping within the parking lot areas where they believe planters are visually needed. They have also provided sufficient plantings throughout the parking area. They will need to ensure the plantings meet the visual obstruction requirement as stated. To see the landscaping design and other amenities, see the attachments at the end of this report (see attachment 3).

> Issues to Consider:

In reviewing the plans, it appears a few of the islands are less than four feet wide. In addition, there has been some concern that the residential parking does not have adequate parking islands, especially within the west bank of parking. The applicant is requesting a waiver from Section 7.10 and to allow the development as it is shown on the site plan. In addition, Section 7.9 of the Bylaw states that the Board may waive or modify any provisions found in Section 7.0 (see conditions under the parking review section). The Board may want to ask for clarity from the developer as to what specific areas of landscaping they would like waived. The applicant has

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stated that it may be difficult to reduce any space devoted to parking in order to accommodate additional landscaped islands. The board may also want to suggest high priority areas that need to have additional screening from adjacent properties such as the eastern lease and property adjacent to the Neighborhood Residential (R-N) zoning district.

Site Amenities

The developer believes the following may be considered as amenities:

- Village green
- Multi-use plaza
- Play area
- Dog run
- Courtyards
- Outdoor benches
- Bike racks
- Abundant landscaping
- Walkability
- Residential amenities: fitness center, Wi-Fi café and clubroom
- Retail and restaurant options
- Easy access to mass transit
- Sustainability in design and use

Other amenities that have been mentioned by the applicant are welcoming packets to new home owners to promote mass transit and recycling efforts. This concept may be expanded to also include the businesses and posted throughout the site.

Issues to Consider:

The Board may want to address the size of the play area and request a description of the type of equipment to be used. Staff believes that if the goal is to promote an active play area, the site will need to be large enough to accommodate enjoyable equipment and have room for parents to also participate with their kids or sit on a bench in close proximity. In addition, the Board should also request more detail on pedestrian circulation. Staff would highly recommend a connection from Montague Road to Atkins Market and into the other portions of the development. The applicant has provided crosswalks within the project, including concrete paving adjacent to the commercial and the village green, however the other crossing locations have not been identified as to material, or striping. All pathways should connect so as to draw pedestrians out of the traffic areas and into the landscaping and common areas. On the south west wall of Building B, the pathway ends and pushes the pedestrian into the parking stalls, this should be readdressed to continue the path to the south west door of the building.

Lighting

According to Section 7.105 of the Zoning Bylaw, lighting must be provided within a parking lot. Zoning Board of Appeals

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This lighting must be downcast and shielded so as to not shine onto adjacent properties or streets. In addition, all other lighting must not be on outside of normal hours of use, except for security lighting which should be activated with sensors or another similar device.

Beacon has chosen a style of lighting unique but complimentary to the Atkins Market. The pole lights will be 14.25 feet tall and found in strategic locations around the parking area for safety. The plans identify the light atop the black light pole as being an LED, dark sky compliant, cutoff fixture. The buildings will also have lighting mounted on the structures, however this has not yet been identified.

> Issues to Consider:

The applicant has provided a photometric plan showing the site as having a low light impact. Yet, more detail needs to be addressed on lighting. The plans indicate the height and detail of the light fixture that will be within the commercial parking lot, yet does not show the height of the pole within the residential parking. The plans identify the light fixture top as being a modern razor style, typical in other multifamily or commercial projects. In addition, the Board may want to ask for the location and style of lighting to be found on the buildings and how this impacts the surrounding neighborhood. Finally, the developer has identified the front monument sign as having in-ground lighting shining up on to the words of the sign. They are aware the Board prefers downcast lighting, and have assured staff the light will only be directed on to the words of the sign itself and not into the sky.

Architecture

The architects for the proposed project have taken their inspiration for the buildings from traditional New England village architecture. In order to accomplish this style they have looked at surrounding buildings and added mill elements to be consistent with the historic nature of the area. However, the developer wants the project to be unique and modern and has included styles more relevant for today. The materials being used include, brick, cement fiber board, glass, aluminum and vinyl windows. The muted paint colors have been selected from a historic palette that include, white, burgundy, gold and tan. The architect has also chosen to give the buildings more of a village presence by stepping the buildings horizontally and vertically to create the appearance of several buildings. These sections are architecturally defined with differing material, paint color, height and flat or gabbled roofs. The attachments at the end of the report showcase one of the architectural styles that have been provided, however the applicant will be presenting new drawings matching the above description at the meeting. The attachment still reflects the general color and style of the architecture (see attachment 7).

Engineering: drainage, utilities, other public improvements

Plans have been provided indicating the engineering aspects of the development. The site will be serviced by Town sewer and water that is already stubbed to the area. The water will be looped from Cowls Road through the project and then connect to Montague Road via the emergency fire lane. Propane will also be used on site with the tanks being found underground in two locations, adjacent to Building A and Building B. These tanks will be properly posted and protected to meet all safety standards. All proper easements for services will be placed on site and detail of these easements should be identified on the site plan.

The fire department has been speaking with the developer on fire safety for the facility. All Zoning Board of Appeals

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buildings will be fire sprinkled and fire hydrants are located throughout the project. A fire lane and emergency access lane have been located on the south east corner of the property, connecting to Montague Road. This lane is not for access by other vehicles. It is proposed be gated and locked with only Emergency personal having access. This access will be kept clear of all obstructions, including debris and snow.

The development will need to meet all standards pertaining to driveway width and access from Cowls Road as per the Town Engineer. Parking lot isles and parking stalls will also be required to meet all engineering standards. All other improvements or repairs to the driveway or sidewalk will need to be reviewed by the Town Engineer and completed by the developer.

Storm water will be handled on site with the use of rain gardens and underground storm water detention. The site will have seven of the underground detention basins which will collect storm water and then slowly allow the water to percolate into the ground. The developers engineer has stated the underground detention will have adequate capacity to cover the entire site. However, as with all engineering issues on site, the Town engineer will need to review and approve the storm water management system.

> Issues to Consider:

Engineering is an important component to this project. The Board will most likely want to ask the Fire Marshal, the Town Engineer and the Public Works Director to draft a formal document with detail of their review and conclusion. They may also want to consider inviting them to a meeting in order for the Board and applicant to hear their recommendations. This is also an area the Board has desired a third party review which may be helpful in determining if the engineering that has been addressed is adequate for the site. The applicant has also requested waivers to engineering, yet it appears to mainly be logistical matters, such as how and when items are reviewed and not waiving of engineering regulations. Environmental issues should also be addressed by the applicant, including soils testing that has taken place, any drainage issues, or other environmental concerns on the property.

Management Plan

Much of the Management Plan has been addressed in the above review concerning parking, lighting, signage and landscaping. The applicant has also provided detail on trash and snow removal for the project. Trash and recycling for the residential units will be managed by trash and recycling chutes in each building. The trash and recycling will be collected by a local company once or twice a week as needed. The commercial trash and recycling will consist of dumpsters and bins for Building A and Building B. This trash and recycling will also be collected by a local company and pickups are based on the type of uses. All dumpsters will be fully concealed by metal panels with wood posts or galvanized corrugated sheet metal panels with metal posts. Throughout the entire project trash and recycling bins will be located and the contents picked up on a regular basis by Beacon Residential Management.

Snow removal of all sidewalks and driveways will be completed by the Beacon Management Group. Snow storage areas have been designed into the landscaped areas and snow banks will be maintained as to not pose a hazard for vehicles and pedestrians. The emergency fire access lane will be a top priority after each storm to ensure it is clear. Furthermore, the management group will clear the snow within 24 hours of the storm. If the accumulation is significant and cannot be addressed Zoning Board of Appeals

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on site the management group will truck snow to an off-site location.

OTHER REQUIRED BOARD REVIEWS

Through this process, other boards within the community may wish to review this project, or may have a desire to share their remarks. Although these groups do not have the formal approval jurisdiction in a Comprehensive Permit process, the Board may still take their ideas or feedback into consideration. The Board may also wish to ask these groups for their opinions.

These groups may include (see attachments 4-6):

- ✓ Planning Board
- ✓ Conservation Commission
- √ Fire Department

CONCLUSION

Other detail may be presented at the ZBA meeting from the applicant and the public. However as of the date of the completion of the staff report no other additional information, including any public comment has been submitted. The next meeting the Board will review the Beacon project is January 24, 2017

Attachment 1 Amherst Subsidized Housing Inventory

Staff Report - Town of Amherst's Projected Subsidized Housing Inventory 2020-2030 December 21, 2016

SHI as of 12/21/2016

year round housing units	9621
affordable units	1080
SHI percent	11.23%

projected SHI in 2020-2030

projected 3111 III 2020 2030			
new units 2010-2019	750	850	950
total year round units	10371	10471	10571
affordable units without North Square	1092	1092	1092
SHI percent without North Square	10.53%	10.43%	10.33%
affordable units with North Square	1222	1222	1222
SHI percent with North Square	11.78%	11.67%	11.56%

Assumptions

- Projected units based on building permits issued between 2010-2016 for new housing units that are completed or under consruction
- Between 2010-2016, approximately 500 new units were permitted, with an average of 85 per year
- This increase in units is a complete reversal of development trents between 1990-2010
- Approximately 12 affordable units will be added to the SHI by 2020: 6 at Presidential Apartments and 6 Habitat for Humanity



NIXON PEABODY LLP AFTORNEYS AT LAW

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100 Summer Street Boston, MA 02110-2131 617-345-1000

December 22, 2016

VIA HAND DELIVERY

Hon. Chrystal Kornegay Undersecretary Department of Housing and Community Development 100 Cambridge Street Boston, MA 02114

Re: North Square at the Mill District, Amherst, MA

BC North Square LLC Response to the December 8, 2016 Written Notice of Safe

Harbor from the Amherst Zoning Board of Appeals

(October 18, 2016 DHCD Project Eligibility Determination)

Dear Undersecretary Kornegay:

This firm represents BC North Square LLC, the limited dividend affiliate of Beacon Communities Development LLC ("BCD"). BCD has submitted an application for a Comprehensive Permit pursuant to M.G.L. Chapter 40B to the Town of Amherst for the project known as North Square at the Mill District (the "Project"). The Department issued a Project Eligibility Determination on October 18, 2016.

On December 8, 2016, BCD received the attached letter from the Amherst Zoning Board of Appeals (the "Board"). The letter complies with the Chapter 40B regulations in that it provides written notice to the Applicant that "a denial of the permit or the imposition of conditions or requirements would be consistent with local needs, the grounds that it believes have been met, and the factual basis for that position, including any necessary supportive documentation." See 760 CMR 56.03(8). Although BCD agrees with the facts stated in the letter and the regulatory procedure, it has asked me to clarify its position with respect to future actions.

By way of background, the letter asserts that the Town of Amherst has achieved one of the statutory minima standards as the Town's Subsidized Housing Inventory ("SHI"), as of the date that BCD filed its application, was 11.18%. BCD does not dispute that the Town's SHI, as of the date that BCD filed its Comprehensive Permit application, was 11.18%. I stated at the first and second public hearings that BCD would not challenge this fact.

Hon. Chrystal Kornegay December 22, 216 Page 2

NIXON PEABODY LLP ATTORNEYS AT LAW

NIXONPEABODY.COM @NIXONPEABODYLLP

The letter continues, acknowledging that the Board has the discretion to elect to proceed or not with BCD's application. BCD is very appreciative of the Board's decision to proceed with the full local hearing and BCD understands that the Board will render a decision at the conclusion of that process.

On the second page of the letter, however, there is a statement that purports to memorialize BCD's agreement with the procedures set forth above which includes the provision that "... no right of appeal by BCD will lie from the decision; and BCD did acknowledge its understanding and agreement." This provision requires clarification: at the December 1, 2016 and December 8, 2016 public hearing sessions, I clearly stated that BCD would waive its right to contest that the Town's SHI was 11.18% as of the date the application was filed, but that BCD would not waive any other rights or remedies. On behalf of BCD, we would like to clarify that BCD is not waiving any right of appeal to the HAC or otherwise, and that such acknowledgment of a waiver is not required by the Chapter 40B regulations.

This request for clarification has been submitted to the Department, with a copy to the Board, within fifteen (15) days of BCD's receipt of the Board's notice, in compliance with 760 CMR 56.03(8)(a). We appreciate your attention to this matter.

Sincerely,

Ruth H. Silman

Enclosure

cc:

Town of Amherst Zoning Board of Appeals (via email and first class mail)

Town Manager (via email and first class mail)

Town Counsel (via email and first class mail)

Beacon Communities Development (via email)

Attachment 2 Third-party Review Assessment



111 Founders Plaza, Suite 1600 East Hartford, Connecticut 06108 tel: 860-529-7615

December 22, 2016

Ms. Christine M. Brestrup Planning Director Town of Amherst 4 Boltwood Avenue Amherst, Massachusetts 01002

Subject:

Traffic Engineering Services - North Square Peer Review, Amherst, MA

Dear Ms. Brestrup:

Thank you for this opportunity for CDM Smith to assist the Town of Amherst with professional engineering services. It is our understanding that the Town would like to perform a third-party peer review of the Transportation Impact Assessment (TIA) prepared for the proposed North Square at the Mill District mixed use development on Cowls Road. It is also our understanding that this project consists of the construction of 130 apartment units, 6,000 SF of restaurant/food service space, and 16,000 SF of retail space. CDM Smith has outlined the following scope of work.

Review of Transportation Impact Assessment

CDM Smith will perform the following tasks:

- Conduct a field visit to evaluate available sight distance at the proposed site driveways and observations of traffic operations.
- Confirm incorporation of appropriate time periods for project development (AM Peak, PM Peak, Saturday midday peak, and peak hour of generator) in the TIA.
- Perform an evaluation of the bounds of the traffic study area, and whether or not this
 captures all potentially impacted roadways, intersections, etc. within the project area in
 accordance with MEPA guidelines and/or town requirements.
- Confirm trip generation methodology. If appropriate, review transit oriented development (TOD) methodologies and transportation demand management (TDM).
- Confirm inclusion of committed nearby developments, planned roadway/signal improvements, background traffic growth calculations, and seasonal adjustment factors. All projects that have been initiated in the MEPA process prior to filing should be considered. CDM Smith will also contact regional planning agencies to identify any regionally relevant development projects. CDM Smith will also request information from the local planning board related to other approved developments in the area.



Ms. Christine M. Brestrup Planning Director December 22, 2016 Page 2

- Assess the project impacts on traffic operations in the study area. Note whether the
 proponent considered the traffic signal upgrades planned by the Town at the Sunderland
 Rd/Montague Rd/N. Pleasant St and the N. Pleasant St/Meadow St/Pine St intersections.
- Conduct a technical review of proposed local roadway modifications, if any.
- Review proposed construction phasing with respect to traffic management impacts, if available.
- Conduct a "Complete Streets" review of pedestrian and bicycle accommodations on roadways impacted by the project.
- Verify that the proponent has addressed existing and potential safety impacts associated with the proposed design concepts and taken steps to mitigate the concerns.
- Verify that the TIA follows the MassDOT's Transportation Impact Assessment (TIA) Guidelines,
 as noted in the introduction to the TIA.
- Verify that the TIA follows the requirements of the Town of Amherst's Zoning Bylaws, specifically Article 11, Section 243.

Meetings

It is anticipated that CDM Smith will attend up to two (2) meetings, and that each meeting will be attended by one (1) CDM Smith staff member.

Deliverables

CDM Smith will provide the Town of Amherst with a technical letter documenting the findings of our review and provide a brief assessment on the proposed traffic mitigation plans and their effectiveness at offsetting project impacts.

Schedule

We anticipate completing this assignment within three (3) weeks of the notice to proceed.

Out of Scope Tasks (Not Included in this Proposal)

Based on our understanding of the assignment the following tasks are not included in the scope of work;

- Any additional meetings
- Supplemental data collection



Ms. Christine M. Brestrup Planning Director December 22, 2016 Page 3

- Topographic survey; construction services; and ROW services
- Review of proponent responses to comments or additional/supplemental transportation impact related information submitted by the project proponent
- Any court related services such as a legal witness or expert testimony
- Stormwater management review

Should the Town request any of these or other services, CDM Smith will provide a scope and fee under separate cover.

Fee Proposal

CDM Smith proposes a lump sum fee of \$8,600 for the field visit/data collection, analysis and technical letter as outlined above. This fee is based on the scope of work presented above. The lump sum fee includes out-of-pocket costs that are incurred during the progress of the work.

CDM Smith appreciates this opportunity to provide the Town with our professional engineering services and we look forward to working with you on this project. Should you find this proposal acceptable, please sign the letter below authorizing CDM Smith to perform the work outlined in this document. If you should have any questions or require further information, please contact me at 860-808-2269 or Lisa Sherman at 401-457-0366.

Sincerely,

Timothy J. Dupuis, P.E.

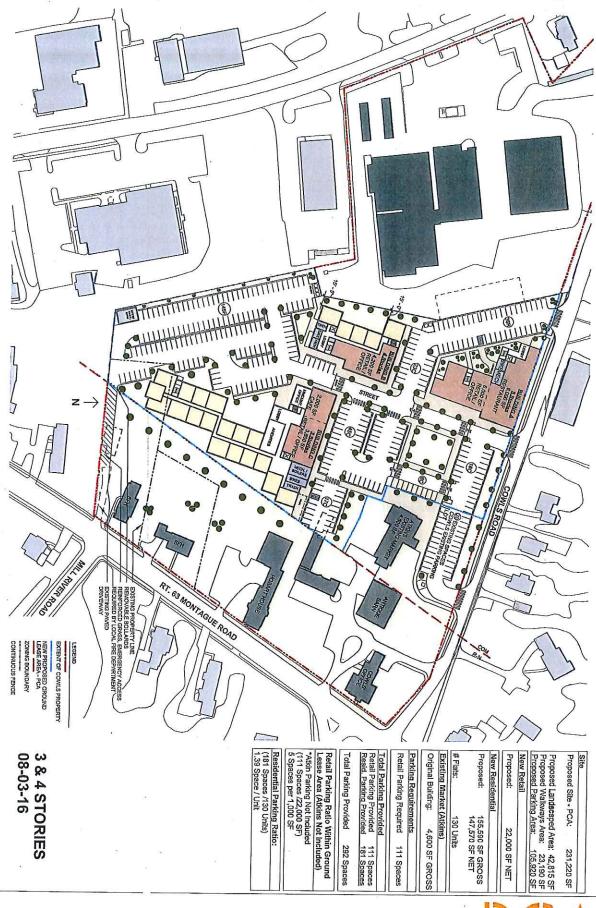
Vice President

CDM Smith Inc.

cc: Lisa Sherman, CDM Smith

Town of Amherst Authorization

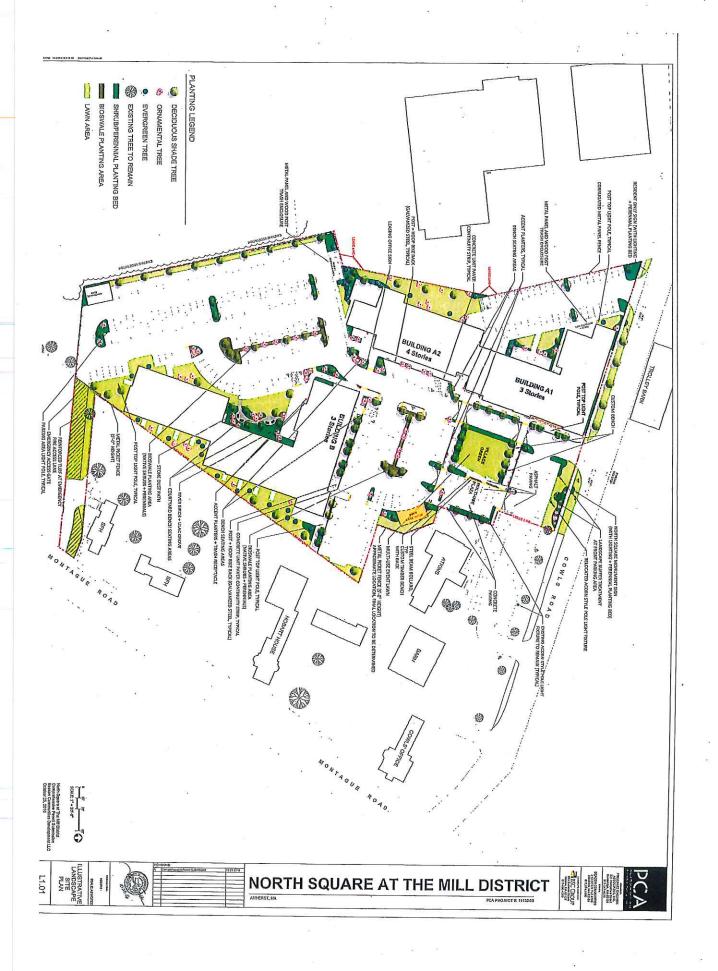
Attachment 3
Landscaping

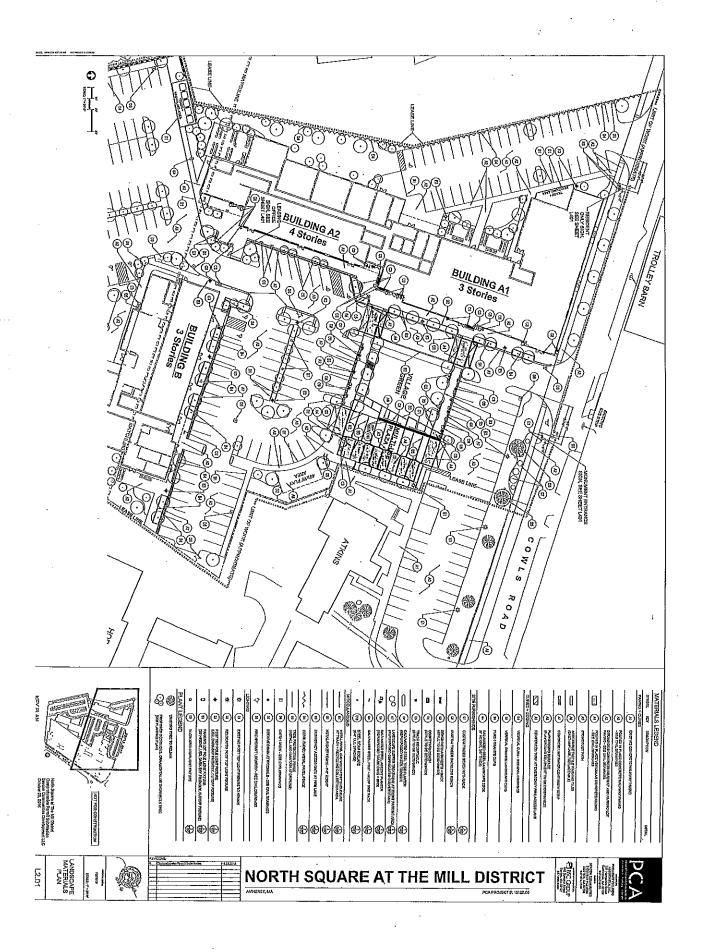


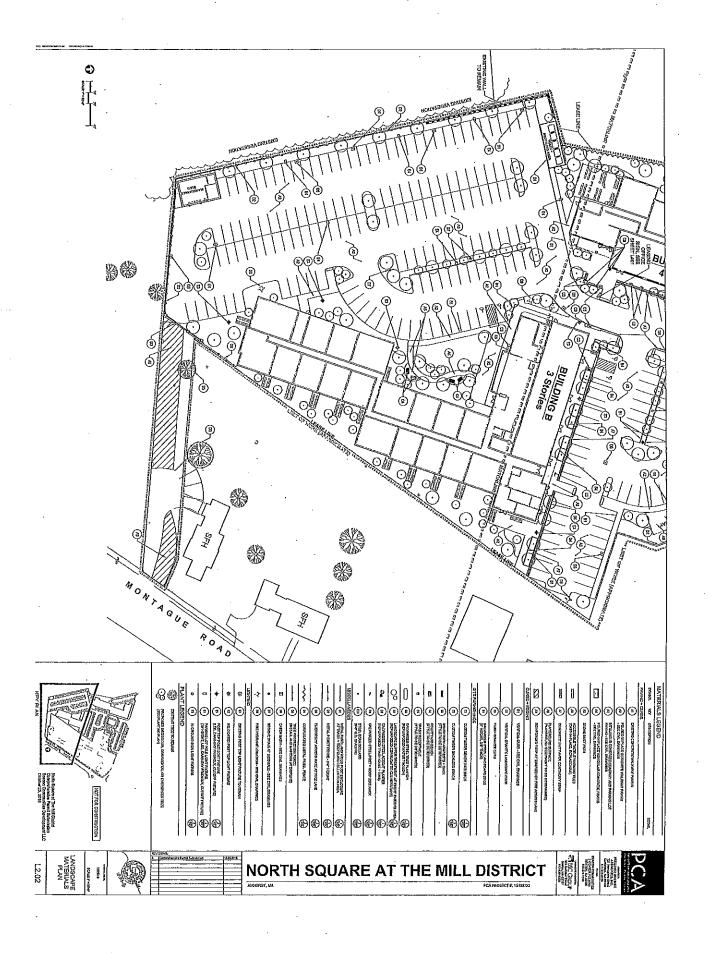
BEACON communities

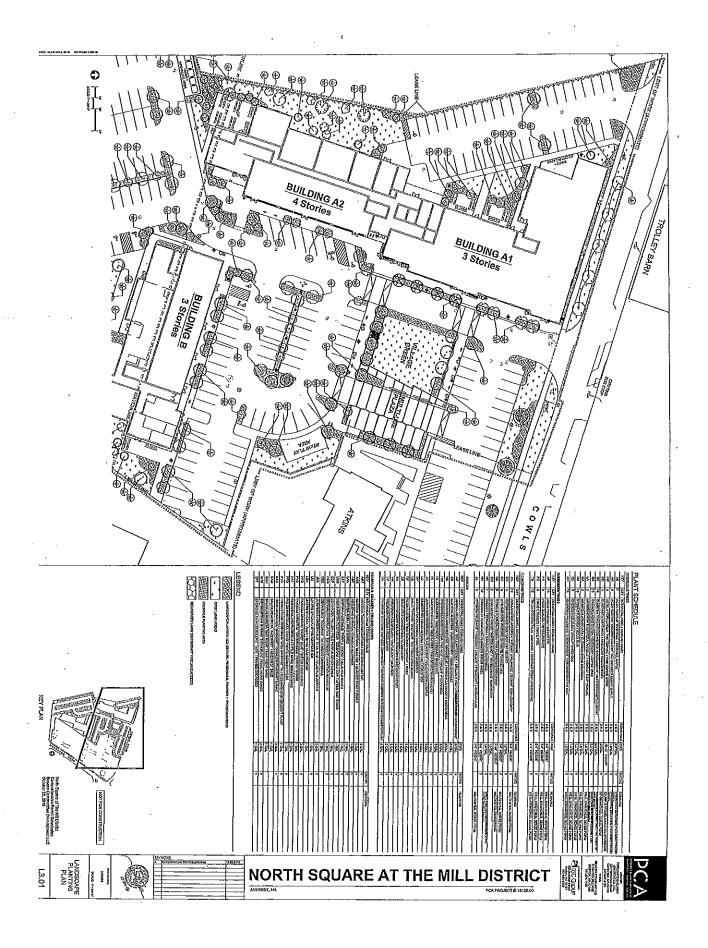
AMHERST - MILL DISTRICT MASTER PLANNING PROPOSED SITE PLAN

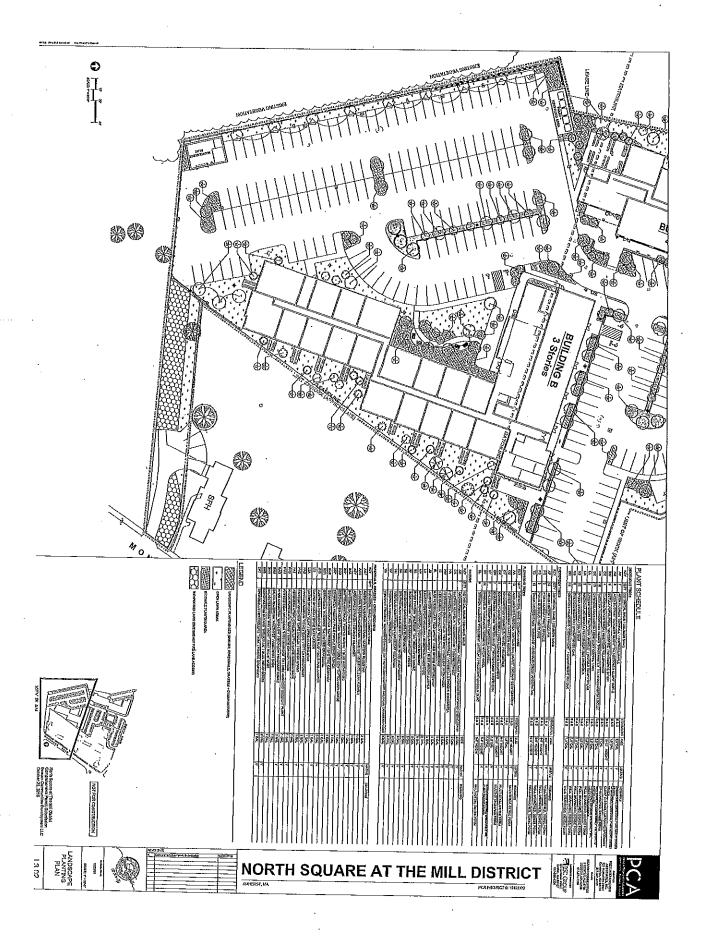




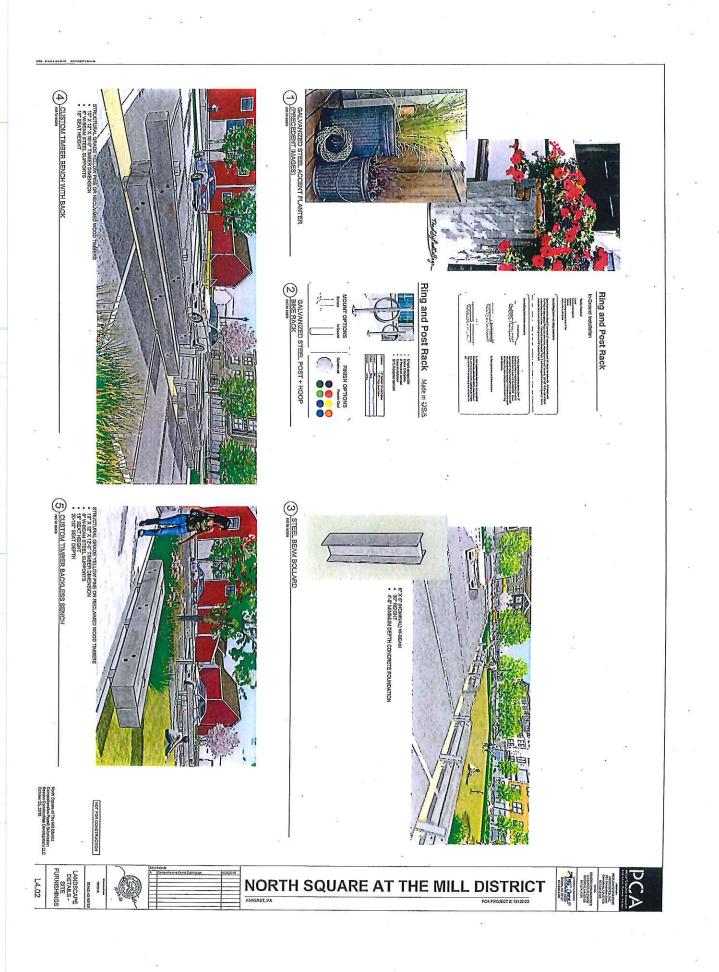














Attachment 4 Planning Board Letter



AMHERST

Massachusetts

TOWN HALL
4 Boltwood Avenue
Amherst, MA 01002-2351

PLANNING BOARD (413) 259-3040 (413) 259-2402 [Fax] planning@amherstma.gov

December 28, 2016

Mark Parent, Chair Zoning Board of Appeals Town Hall 4 Boltwood Avenue Amherst, MA 01002

Re:

Beacon Communities Development LLC (BC North Square LLC)

North Square at the Mill District – Chapter 40B Comprehensive Permit

Dear Mr. Parent:

The Amherst Planning Board has received a presentation from the applicant and has reviewed material submitted by Beacon Communities Development LLC for a Comprehensive Permit for a for a mixed-use development in North Amherst, including 130 dwelling units of which 26 (20%) are proposed to be low income (at 50% AMI and below) under Massachusetts General Laws Chapter 40B. The project name is North Square at the Mill District.

After discussion the Amherst Planning Board voted 7-1-0 (with one member absent) on December 21, 2016, to support the proposed project, with the following comments regarding the design of the site plan and architecture:

- 1. The site is generally appropriate for residential development; the site is currently in the Commercial zoning district, in which mixed-use buildings are permitted by Site Plan Review and Special Permit; the Planning Board has been in favor of creating an enhanced mixed-use zoning district for North Amherst Village Center having proposed "Form Based Code" for North Amherst Village Center which included mixed-use buildings; this zoning proposal received significant support at Town Meeting although it did not achieve the necessary 2/3 to pass as a zoning amendment; there has been general town-wide support for mixed-use development in North Amherst Village Center;
- 2. The site design is generally appropriate for the site taking into consideration factors such as the proposed use, schematic site plan and building massing, topography, environmental resources and integration into existing development patterns;

3. The Planning Board makes the following specific recommendations for consideration with regard to the site design, architecture and uses:

Parking & Circulation

- a. Consider requiring more sharing of parking between residential uses and commercial and retail uses on the site in order to limit the number of parking spaces overall;
- b. If the number of parking spaces cannot be reduced, consider requiring additional landscaping in the vicinity of parking lots to minimize the impact of so much pavement; consider carefully the granting of the waiver from the requirement that 10% of parking lots be landscaped;
- c. Request that the applicant work with the town to create on-street parking along Cowls Road;
- d. Consider requiring enhanced bicycle amenities and connections;
- e. Consider carefully the need for the expanded width of driveways to 32 feet; look carefully at the need for this much pavement for access by trucks and emergency vehicles;
- f. Look carefully at the adequacy of the turnaround for emergency vehicles;

Landscaping & Green Space

tophen Dewerker

- g. Consider requiring added plantings in the Residential (R-N) zoning district, on property owned by Cowls, to provide a buffer for other residential property along Montague Road;
- h. Consider requiring enhanced and enlarged common area and other green spaces and enhanced pedestrian access to the common area and green spaces;

Architecture

- i. Consider and look carefully at the height of the tallest proposed building and look carefully at the height of the buildings overall;
- j. Consider carefully the granting of the waiver of the front setback for Building A1, which is proposed to be 3 feet from the right-of-way line of Cowls Road.

Very truly yours,

Stephen Schreiber, Chair Amherst Planning Board

Attachment 5 Conservation Commission Letter

Town of



AMHERST

Massachusetts

TOWN HALL 4 Boltwood Avenue Amherst, MA 01002-2351 Conservation Commission (413) 259-3045 (413) 259-2402 [Fax] conservation@amherstma.gov

December 28, 2016

To: Amherst Zoning Board of Appeals

Re: North Square at the Mill District ENF review

Dear Amherst Zoning Board of Appeals,

The Conservation Commission reviewed and discussed the Environmental Notification Form for the North Square at the Mill District project. In general the Commission supports the project and its efforts to provide community open space with the "village green" and energy conservation through Stretch Code, LEED, and Energy Star certification. However, they are recommending that the ZBA require the applicant to provide pre- and post-development drainage calculations and figures for review prior to issuing a permit. This data will bring validity to the statements made in Attachment F of the ENF, *Technical Memorandum - Stormwater Management Report*. In addition, they recommend the ZBA condition any permit issued to require a full stormwater report including an operation and maintenance plan be submitted for review by the Town Engineer, and that all comments and concerns of the Town Engineer be met prior to issuing a Building Permit.

Sincerely,

Briony Angus Harvey Allen Paris Boice Christiane Healey Robert Brooks Fletcher Clark Brett Butler

Attachment 6 Fire Department Letter

Fire Prevention Amherst Fire Department

Fire Protection Transmittal

To:

Christine Brestrup

From:

Michael E. Roy

CC:

Jen Gannett

Date:

December 9, 2016

Re:

Beacon Communities; North Square project

Plan review notes to follow:

- 1. Fire Department Access: requirements have been met; the driveway entrances will be 20' wide as per CMR 527, NFPA 1. A swing path analysis was conducted by Robert Cater using CAD software as required by CMR 527, NFPA 1. The analysis that was conduct utilized the department's largest apparatus. Because of the design of the complex a second point of access is needed to reach the the rear of building "c"; this will be accomplished by creating an access road off of Montague Road. The point of access will be for emergency use only and will be gated and locked. The lock shall be from the Knox Company, the department already carries Knox keys on all of our apparatus. The emergency access road shall be maintained year round for access. The construction of the road shall be designed to hold the weight of the emergency vehicles; grass pavers may be used as long as they are plow able.
- 2. Fuel storage: underground propane will be the primary fuel source for this project. The LPG will be underground at 3 separate locations within the complex. Robert Cater has submitted a plan that's meets the required setbacks from property lines and buildings as per NFPA 58.

Attachment 7 Amount of Cut and Fill

Toponce, Brandon

From:

Brestrup, Christine

Sent:

Thursday, December 29, 2016 3:52 PM

To:

Darcy Jameson; Toponce, Brandon

Cc:

Malloy, Nathaniel; Morra, Robert; Mark

Subject:

RE: Subject of the January 5, Beacon ZBA Meeting

Brandon,

Regarding the fill issue, Bob Carter stated at the last ZBA public hearing on North Square on 12/8 that the project would require approximately 2,000 Cubic Yards of fill.

Section 5.10 of the Zoning Bylaw states that projects will require a Special Permit if they require 10,000 Cubic Feet of fill (either an area of 2,000 square feet x 5 feet deep OR an area of 5,000 square feet x 2 feet deep).

10,000 CF of fill divided by 27 CY per CY = 370 CY of fill

2,000 CY of fill times 27 CF per CY = 54,000 CF of fill

So, under ordinary circumstances this project would require a Special Permit for fill.

It would be a good idea to request a waiver from Section 5.10.

Chris

Christine M. Brestrup, Planning Director

Planning Department

Town of Amherst

Town Hall

4 Boltwood Avenue

Amherst

Massachusetts 01002

413-259-3145

brestrupc@amherstma.gov

From: Brestrup, Christine

Sent: Thursday, December 29, 2016 2:39 PM

To: 'Darcy Jameson' <DJameson@BeaconCommunitiesLLC.com>; Toponce, Brandon <toponceb@amherstma.gov>

Cc: Malloy, Nathaniel <MalloyN@amherstma.gov>; Morra, Robert <morrar@amherstma.gov>; Mark

<marklparent@yahoo.com>

Subject: RE: Subject of the January 5, Beacon ZBA Meeting

Hi Brandon and others,

Here are a few more things that can be address on January 5th, that I picked up from looking through my notes:

Answers to questions from the Board and others, including:

- Amount of cut and fill and whether a waiver is required from Section 5.10 of the Zoning Bylaw
- Architectural perspectives statement about the perspectives being generated by Sketch-Up and therefore accuracy of perspectives is true

Attachment 8 Architectural Drawings

22



forth Square at The Mill Celebra Zempretensive Permit Submissi Isoson Communities Devotopmo Detober 25, 2010

PERSPECTIVES

Control from Editors (etc.) 10 2 2 14

NORTH SQUARE AT THE MILL DISTRICT
ADDRESS, DA POR PROJECT & SISTE









Comprehensive Permit Submitslar Beacon Continuales Developmen October 25, 2019

PERSPECTIVES

REVISIONS:
A Tomorrows Ferry Sciences NASKIII

NORTH SQUARE AT THE MILL DISTRICT

PCA PROJECT # 1512200









NORTH SQUARE AT THE MILL DISTRICT
AMERIT, IA
PCAPEDICTA 15





